

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KAREN SAUNDERS,

Plaintiff,

v.

DYCK O'NEAL, INC.,

Defendant.

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Civil Docket No. 1:17-CV-335-GJQ-RSK

Honorable Gordon J. Quist

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**NOTICE OF WITHDRAWAL OF MOTION FOR RECONSIDERATION**

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TO THE HONORABLE JUDGE OF SAID COURT:

Comes now, Defendant Dyck O'Neal, Inc. ("DONI"), and files this Notice of Withdrawal of Motion for Reconsideration, and will respectfully show onto this Court as follows:

**I.**

1. On April 18, 2018, DONI filed its Motion for Summary Judgment in this case. Doc. 25. The Motion was fully briefed by the parties. Doc. 36; Doc. 48.
2. On July 16, 2018, the Court issued its Opinion and Order Denying Defendant's Motion for Summary Judgment. Doc. 50.
3. On October 3, 2018, DONI filed its Motion for Reconsideration of the Court's Opinion and Order Denying Defendant's Motion for Summary Judgment. Doc. 55.
4. DONI now seeks to withdraw the Motion for Reconsideration. Given recent developments in this case, DONI no longer believes it is in the best interest of DONI, Plaintiff, nor this Court to proceed with consideration of the Motion for Reconsideration. In the interest of preserving judicial

resources, DONI requests that this Court disregard the Motion for Reconsideration previously filed.

WHEREFORE, PREMISES CONSIDERED, Defendant Dyck O'Neal, Inc., respectfully requests that this Court withdraw the previously filed Motion for Reconsideration.

Respectfully submitted,

**MALONE AND MARTIN PLLC**

/s/ Xerxes Martin

EUGENE XERXES MARTIN, IV

Texas State Bar No. 24078928

Email: [xmartin@mamlaw.com](mailto:xmartin@mamlaw.com)

**MALONE AND MARTIN PLLC**

Northpark Central, Suite 1850

8750 North Central Expressway

Dallas, Texas 75231

TEL: (214) 346-2630

FAX: (214) 346-2631

***COUNSEL FOR DEFENDANT***

***DYCK O'NEAL, INC.***

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing has been forwarded via CM/ECF, to all parties of interest who have made an appearance in the case on this 27th of November, 2018, to:

/s/ Xerxes Martin

EUGENE XERXES MARTIN, IV